

FEDERAL EMPLOYEE HEALTH BENEFITS (FEHB) AND TRANSITIONAL TRICARE

An employee who is called to active military service can either have his or her FEHB coverage continue for up to 18 months or elect to terminate coverage. If the employee elects to terminate FEHB coverage at the beginning of the leave of absence, the regulations at 5 CFR 890.305(a) states that the enrollment is automatically reinstated on the day the employee is restored to a civilian position pursuant to Part 353.

However, the National Defense Authorization Act for 2002 (Public Law 107-107) provided transitional health care under the Military Health Care System, including TRICARE, to military members of Reserve components ordered to active duty for more than 30 days in support of a contingency operation. Depending on total active federal military service, the military member and dependent family members are entitled to either 60 days or 120 days of TRICARE transitional health care after separation from active duty.

Because of the availability of this new benefit, some employees may not want to have their FEHB automatically reinstated. OPM has determined that if an employee waives his or rights to immediate reinstatement of FEHB to take advantage of transitional TRICARE benefits, agencies may delay reinstatement until the transitional TRICARE ends.

Employees who do not want their FEHB automatically reinstated when they return from active military service must sign a statement, obtained from the HRO, to waive their rights. The statement will also say, the employee understands that it is his/her responsibility to notify the agency when the transitional TRICARE ends so that he or she can enroll in FEHB again.